

MESSAGE NO: 9168204 MESSAGE DATE: 06/17/2009

MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-588-201

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 11/09/1988 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: SCOPE RULING: BALL BEARINGS & AND PARTS THEREOF - JAPAN (A-588-201) 4
TAPE GUIDE ASSEMBLIES, AS-8354, AS-8355, AS-8361, & AS-8362 IMP'D BY NMB ARE NOT
WITHIN SCOPE

MESSAGE NO: 9168204

DATE: 06 17 2009

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 588 - 201

- -

- -

- -

- -

- -

PERIOD COVERED: 11 09 1988 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: SCOPE RULING: BALL BEARINGS & AND PARTS THEREOF - JAPAN
(A-588-201) 4 TAPE GUIDE ASSEMBLIES, AS-8354, AS-8355,
AS-8361, & AS-8362 IMP'D BY NMB ARE NOT WITHIN SCOPE

THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

1. COMMERCE RECEIVED A SCOPE RULING REQUEST FROM NMB (USA)
INC (NMB). COMMERCE ISSUED A FINAL SCOPE RULING ON
06/01/2009 THAT TAPE GUIDE ASSEMBLIES ARE NOT WITHIN THE
SCOPE OF THE ANTIDUMPING DUTY ORDER ON BALL BEARINGS AND
PARTS THEREOF FROM JAPAN (A-588-201).

2. COMMERCE DETERMINED THAT FOUR TAPE GUIDE ASSEMBLIES REFERRED TO AS PART NUMBERS AS-8354, AS-8355, AS-8361, AND AS-8362 AND IMPORTED BY NMB ARE NOT WITHIN THE SCOPE OF THE ORDER BECAUSE THE TAPE GUIDES TRANSMIT ROTARY MOVEMENT FROM ONE TO ANOTHER BY MEANS OF AN ENDLESS TAPE THAT REVOLVES IN CONTACT BETWEEN THE GUIDES, SIMILAR TO A PULLEY.

THUS, BECAUSE THE TAPE GUIDE ASSEMBLIES CONTAIN AUGMENTATIONS THAT ADVANCE THEIR FUNCTION AND VALUE BEYOND THE LOAD-BEARING AND FRICTION-REDUCING FUNCTIONS OF BALL BEARINGS, THESE TAPE GUIDE ASSEMBLIES (TAPE GUIDE PART NUMBERS AS-8354, AS-8355, AS-8361, AND AS-8362) ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER ON BALL BEARINGS AND PARTS THEREOF FROM JAPAN.

3. EFFECTIVE 06/01/2009, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 11/09/1988 OF TAPE GUIDE ASSEMBLIES IMPORTED BY NMB AND LISTED BY THE IMPORTER AS TAPE GUIDE PART NUMBERS AS-8354, AS-8355, AS-8361, OR AS-8362.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO TAPE GUIDE ASSEMBLIES IDENTIFIED ABOVE.

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF TAPE GUIDE ASSEMBLIES ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 11/09/1988.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES.

THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS

POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER WHICH IS 05/15/1989.

INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. FOR ALL OTHER SHIPMENTS OF BALL BEARINGS AND PARTS THEREOF FROM JAPAN NOT COVERED BY PARAGRAPH 2 ABOVE, YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O5:JF).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CHRISTINE M. FURGASON

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party